

1 REMARKS

2 Status of the Claims

3 Claims 1-32 are now pending in the present application. None of the claims have been amended.

4 Claims Rejected Under 35 U.S.C. § 103(a)

5 Claims 1-5, 7-13, 15-21, 23-29 and 31-32 are rejected under 35 U.S.C. § 103 as being
6 unpatentable over Hayes et al., U.S. Patent No. 6,339,826 ("Hayes") further in view of Gupta et al. (U.S.
7 Patent No. 6,868,448 hereinafter referred to as "Gupta"). Claims 6, 14, 22, and 30 are rejected under 35
8 U.S.C. § 103(a) as being unpatentable over Hayes in view of U.S. Patent Application No. 2003/1200496
9 Alfred et al. (hereinafter referred to as "Alfred"). Applicants respectfully disagree with these rejections
10 because, as explained below, the cited art in combination does not teach or suggest all of the recitation in
11 these claims.

12 In the interest of reducing the complexity of the issues for the Examiner to consider in this
13 response, the following discussion focuses on independent Claims 1 and 17. The patentability of each
14 remaining dependent claim is not necessarily separately addressed in detail. However, applicants'
15 decision not to discuss the differences between the cited art and each dependent claim should not be
16 considered as an admission that applicants concur with the Examiner's conclusion that these dependent
17 claims are not patentable over the disclosure in the cited reference. Similarly, applicants' decision not to
18 discuss differences between the prior art and every claim element, or every comment made by the
19 Examiner, should not be considered as an admission that applicants concur with the Examiner's
20 interpretation and assertions regarding those claims. Indeed, applicants believe that all of the dependent
21 claims patentably distinguish over the references cited. Moreover, a specific traverse of the rejection of
22 each dependent claim is not required, since dependent claims are patentable for at least the same reasons
23 as the independent claims from which the dependent claims ultimately depend.

24 The Examiner asserts that Hayes discloses applicants' first step of independent Claim 1 that
25 recites "receiving personal information from a user corresponding to a unique user identity, wherein the
26 personal information includes at least one of the user's: surname; given name; address; set of initials;
27 telephone number; and firm name." The Examiner applies three citations in Hayes (column 1, lines 56-
28 column 2, line 30; column 6, line 57-column 8, line 5; column 19, lines 18-26) in regard to this portion of
29 the claim. In addition, the Examiner has asserted that the server receives a user's modified profile from
30 the user.

1 In the previous Office Action response, dated July 13, 2005, applicants explained why Hayes does
2 not teach or suggest this step, based upon the Examiner's citation to column 19 and to columns 6 – 8 of
3 Hayes. Applicants continue to rely on the distinctions noted in the previous response. Moreover,
4 applicants now respond to the Examiner's citation to columns 1 – 2 of Hayes, which is reproduced below:

5 Typically, in network computer systems, an administrator creates user profiles that
6 are stored on a network server. The profiles may contain *different types of information,*
7 *such as user desktop preferences and user permissions* for access to different software
8 applications that might reside on the server. When a user logs onto the system, the user
9 identifies him or herself to the server, the server locates the profile for the user and
10 transmits it to the user computer where it is used to configure the computer and generate a
11 desktop. The desktop might include a number of icons representing applications to which
12 the user presumably has access. The profile likely also contains other attributes of the
13 computer and desktop, such as for example, *the background color of the desktop, or*
14 *character fonts and point sizes* used on the desktop, or data file search paths, etc. that are
15 unique to the user. The profiles may be user modifiable or non-modifiable. (Emphasis
16 added, Hayes, column 1, line 56-column 2, line 4.)

17 In an environment in which users can modify their own profiles, a modified
18 profile is uploaded back to the server at log-off time, where it is stored for retrieval the
19 next time the user logs-on. In some prior art systems, to the best of our knowledge, the
20 users can generate on their desktops any configuration of application icons they wish,
21 whether or not they exist on the server, and whether or not a user actually has access
22 permission to an application on the server. The Lotus.RTM. Desktop (previously called
23 Kona Desktop) system is an example of this type of operation. ("Lotus" is a registered
24 trademark of Lotus Development Corporation.) In other operation. In other systems, the
25 server presents a list to the user of all applications that the server has, from which the user
26 can pick. In this case, there is no guarantee that the user actually has access permission to
27 an application that is selected from the list for inclusion on the desktop. The Sun Hot Java
28 is an example of this type of system. ("HotJava" is a trademark of Sun Microsystems,
29 Inc.) In other words, the prior art systems do not correlate between systems do not
30 correlate between what the user can configure for the set of desktop application icons and
applications to which the user actually has access permission. In such a case, when the
user clicks on an icon to execute an application, an error message may occur (such as an
unauthorized access message) if access permission is not present, or in a worse case, the
user's computer may crash. (Emphasis added, Hayes, column 2, line 5-line 30.)

Under the section in the current Office Action entitled "Response to Arguments," the Examiner
has asserted that the server receives the user's modified profile from the user. However, the disclosure by
Hayes of a user receiving and modifying a profile from a server is NOT equivalent to applicants'
recitation in Claim 1 of receiving personal information that includes at least one of the user's surname;
given name; address; set of initials; telephone number; and firm name, as applicants recite. As

1 emphasized in the italicized portion of the above quotation, Hayes teaches a profile that includes
2 information such as “user desktop preferences and user permissions.” Also, the profile described by
3 Hayes may contain attributes such as the preferred background color, character fonts and point sizes of
4 text on the desktop. However, preferences such as color, fonts, font sizes, etc. are not equivalent to
5 personal information that includes at least one of: the user’s surname; given name; address; set of initials;
6 telephone number; and firm name. The cited reference does not teach or suggest that the profile used
7 when booting up a computer includes one of these personal information data received from the user.
8 Thus, Hayes does not teach or suggest all of the claim recitation of applicants’ independent Claim 1.

9 The Examiner further asserts that Hayes discloses applicants’ second step in independent Claim 1
10 (emphasis added), of: “creating a user record for each unique user identity *including the personal*
11 *information.*” The Examiner applies three citations in Hayes (column 1, lines 56-column 2, line 4;
12 column 6, line 57-column 8, line 5; and column 14, lines 7-49). In addition, the Examiner has asserted
13 that the user’s profile and preferences are generated and stored in database 212.

14 However, contrary to the Examiner’s assertion, a user’s profile in Hayes is NOT equivalent to
15 applicants’ recited user record. Even assuming, *arguendo*, that the Examiner’s assertion were true, Hayes
16 fails to teach or suggest that *personal information* (as defined by applicants’ claims) is included in a user
17 profile. As recited in applicants’ first step in Claim 1, personal information includes at least one of: a
18 surname; given name; address; set of initials; telephone number; and firm name. For the reasons noted
19 above, although Hayes discusses the inclusion of preferences in a user profile, those preferences are NOT
20 equivalent to the personal information as recited by applicants’ claims. Thus, the user profile of Hayes
21 does not include personal information. While Hayes discloses (with reference to the Examiner’s citation
22 to column 19, lines 18-26) that the information shown in FIGURE 15 of the reference includes the full
23 name of a user, Hayes does not teach or suggest that the user name is included in a user profile.
24 Furthermore, the full name of a user is entered by an administrator, not a user, and Hayes does not teach
25 or suggest that the user can modify the user name. Even more importantly, the user name is not provided
26 to a computer as part of the profile. Instead, the user name is retained in the data on the server that relates
27 to the authorized users on a local area network and is not shared with any application, or used to
28 customize the output of any application.

29 In addition, the Examiner has asserted with regard to applicants’ third step, that Hayes teaches
30 storing multiple user records with personal information that correspond to a plurality of unique user

1 identities, citing column 9, lines 6-12; column 14, lines 7-67; and column 15, lines 24-36. The Examiner
2 asserts that these citations teach storing user's profiles and preferences, including user name (ID) and
3 password in database 12. *Applicants note that a user ID is NOT inherently equivalent to a user name.*

4 The citation to column 9 by the Examiner is reproduced below:

5 Server 202 includes a database 212 that stores user data and group data, such as
6 user and group preferences and user applet access permissions. Webserver 218 represents
7 a typical web server with support for Java applets. *Profile Manager servlet 214 maps user*
8 *and group identifications to preference data.* It also maintains an access control list to
9 manage user access to applications on the server. (Emphasis added, Hayes, column 9,
10 lines 6-12.)

11 This citation indicates Hayes discloses that Profile Manager servlet 214 maps user and group
12 identifications to preference data. Apparently, the Examiner is asserting that a user profile includes the
13 preference data and because the servlet maps user identification data, this user identification data includes
14 personal information. However, "mapping" data is not equivalent to "storing" personal information that
15 is shared with an application, as applicants recite. User identification data and a password are not
16 equivalent to personal information. FIGURE 15 illustrates in entry fields 1523 that the both the Full
17 Name and the ID are to be filled in on the form. Thus, ID (i.e., a user identification) is not taught or
18 suggested to be equivalent to a user's surname or given name of applicants' recited personal information.
19 Even though the Full Name is retained on a server as taught by Hayes, there is no teaching or suggestion
20 that the Full Name is shared with any application to customize the output of the application program.

21 Similarly, the Examiner's second citation recites that the context for the user running the desktop
22 applet is requested and the context name is the ID of the user (Hayes, column 14, lines 23-27). The ID of
23 the user is not equivalent to any recited component of applicants' recited personal information. So, the
24 applet of Hayes does not share personal information as recited by applicants' claims.

25 Thus, the combination of Hayes and Gupta do not teach or suggest all of the claim recitation of
26 independent Claim 1. Accordingly, the rejection of independent Claim 1 under 35 U.S.C. § 103(a) should
27 be withdrawn.

28 Discussion of the Rejection of Independent Claim 17

29 Independent Claim 17 recites a computer system for utilizing personal information to customize
30 an application program and is generally analogous to the independent method Claim 1. For the reasons
discussed above in regard to independent Claim 1, the combination of Hayes and Gupta do not teach or

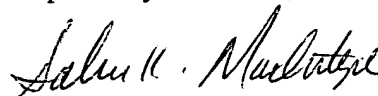
1 suggest all of the claim recitation of independent Claim 17. Accordingly, the rejection of independent
2 Claim 17 under 35 U.S.C. § 103(a) should be withdrawn.

3 Because dependent claims are considered to include all of the elements of the independent claims
4 from which the dependent claims ultimately depend, and because Hayes and Gupta do not disclose or
5 suggest all of the steps and elements respectively of independent Claims 1 and 17, the rejection of
6 dependent Claims 2-5, 7-13, 15-16, 18-21, 23-29, and 31-32, under 35 U.S.C. § 103(a) over Hayes and
7 Gupta should also be withdrawn for at least these reasons.

8 In addition, Claims 6 and 14 depend from independent Claim 1, which is patentable for the
9 reasons discussed above. Similarly, Claims 22 and 30 depend from independent Claim 17, which also is
10 patentable for the reasons discussed above. Because dependent claims are considered to include all of the
11 steps or elements of the independent claims from which the dependent claims depend, dependent
12 Claims 6 and 14, and 22 and 30 are patentable for at least the same reasons discussed above with regard
13 to independent Claims 1 and 17.

14 In view of the Remarks set forth above, it will be apparent that the claims in this application
15 define a novel and non-obvious invention, and that the application is in condition for allowance and
16 should be passed to issue without further delay. Should any further questions remain, the Examiner is
17 invited to telephone applicants' attorney at the number listed below.

18 Respectfully submitted,

19 

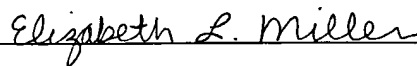
20 Sabrina K. MacIntyre
21 Registration No. 56,912

22 SKM/RMA:elm
23

24 MAILING CERTIFICATE

25 I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed
26 envelope as first class mail with postage thereon fully prepaid addressed to: Commissioner for Patents, Alexandria,
VA 22313-1450, on December 7, 2005.

27 Date: December 7, 2005

28 
29
30